



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

March 5, 2010

In reply refer to: DK-7

Jennifer K. Smith  
Lane Powell PC  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-2338

**RE: FOIA #BPA-2010-00848-F**

Dear Ms. Smith:

This is the first partial release of responsive documents to your request for information that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

BPA has provided a CD of responsive documents in their entirety. There will be more documents to follow under separate cover as they are reviewed.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at (503) 230-7305.

Sincerely,

*/s/ Christina J. Brannon*

Christina J. Brannon  
Freedom of Information Act/Privacy Act Officer

Enclosure: CD with responsive documents



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

March 24, 2010

In reply refer to: DK-7

Jennifer K. Smith  
Lane Powell PC  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-2338

RE: FOIA #BPA-2010-00848-F

Dear Ms. Smith:

This is the second partial release of responsive documents pertaining to your request for information made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

We are providing a CD of responsive documents. This CD has three sections marked:

1. Documents with Exemption 6 redactions (see explanation of exemption below)
2. Documents with Exemption 5 redactions (see explanation of exemption below); and,
3. Documents released in their entirety.

Exemption 6 of the FOIA is applied in the following situations: (1) when a significant privacy interest would be invaded; (2) when release of the information would further the public interest by shedding light on the operations or activities of the Government; and (3) when in balancing the privacy interest against the public interest, disclosure would constitute a clearly unwarranted invasion of personal privacy.

The name and home addresses of private individuals have been deleted from certain documents. Disclosure of this information could subject the individual to whom it pertains to unwanted communications that would intrude into his personal life, and could deter the constituent from communicating with his elected officials. Finally, disclosure of the information withheld will not reveal any aspects about the operations or activities of the Government.

Exemption 5 covers every privilege known to civil discovery. It deals with the protection of the deliberative process or "pre-decisional" documents. This protection encourages open and frank discussions on matters of policy between subordinates and superiors; it protects against premature disclosure of proposed policies before they are adopted and it protects against public confusion and might result from premature disclosure.

Also protected under Exemption 5 is Attorney Work-Product Privilege. It protects documents that are prepared by an attorney or assistants in contemplation on litigation – whether or not that litigation takes places or not.

To continue, Exemption 5 protects Attorney-Client Privilege. These documents are confidential communications between an attorney and his client relating to a legal matter for which the client has sought professional advice.

The documents being withheld under Exemption 5 are being withheld both because they express opinions that fall within the deliberative process privilege and fall within the attorney-client privilege.

In addition, BPA has located other responsive documents that were initiated by other Federal agencies. We have listed them below:

Valerie Shaw, FOIA Officer  
Bureau of Reclamation  
1150 N. Curtis Rd., PN-7602  
Boise, ID 83706-1234

Regional Freedom of Information Officer  
U.S. EPA, Region 10  
Office of External Affairs  
1200 6th Avenue (CEC-142)  
Seattle, WA 98101

United States Geological Service  
USGS FOIA Officer  
Mail Stop 807, National Center  
Reston, VA 20192

These responsive documents have been transferred to them for their review and release determination. BPA has asked that these agencies communicate directly to you with their response.

Another responsive document found is being sent to a commercial entity for Exemption 4 review. Exemption 4 covers the protection of documents that would reveal trade secrets or commercially valuable processes, or cause substantial harm to the competitive position of the entity from whom the information was obtained. The entity is provided a timeframe to complete a review of the documents, after which a determination is made, and what can be released will be forwarded to you by this office.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at (503) 230-7305.

Sincerely,

/s/Christina J. Brannon

Christina J. Brannon  
Freedom of Information Act/Privacy Act Officer

Enclosure: CD with responsive documents



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

March 26, 2010

In reply refer to: DK-7

Jennifer K. Smith  
Lane Powell PC  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-2338

**RE: FOIA #BPA-2010-00848-F**

Dear Ms. Smith:

This is the final response to your request for information that you made to the Bonneville Power Administration (BPA) under the Freedom of Information Act (FOIA), 5 U.S.C. 552.

BPA has enclosed a copy of Canton Environmental Draft Report for Review, Volume I - Executive Summary, "Problem Formulation for the Ecological Risk Assessment (ERA) for COMINCO Operations at Trail, BC" in its entirety. You will be billed under separate cover for the entire request in the amount of \$437 for printing and production services.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at (503) 230-7305.

Sincerely,

*/s/Christina J. Brannon*

Christina J. Brannon  
Freedom of Information Act/Privacy Act Officer

Enclosure: Responsive Document



## Department of Energy

Bonneville Power Administration  
P.O. Box 3621  
Portland, Oregon 97208-3621

PUBLIC AFFAIRS

April 16, 2010

In reply refer to: DK-7

Jennifer K. Smith  
Lane Powell, PC  
1420 Fifth Avenue, Suite 4100  
Seattle, WA 98101-2338

**RE: FOIA #BPA-2010-00848-F**

Dear Ms. Smith:

Bonneville Power Administration's FOIA Office accidentally sent two responsive documents to the Environmental Protection Agency (EPA). Upon review, EPA has returned them to BPA for release determination. They are being provided to you in their entirety.

I appreciate the opportunity to assist you with this matter. If you have any questions about this letter, please contact Laura M. Atterbury, FOIA/Privacy Act Specialist, at (503) 230-7305.

Sincerely,

/s/Christina J. Brannon

Christina J. Brannon  
Freedom of Information Act/Privacy Act Officer

Enclosure: Responsive Documents

The responsive documents are too large to post online. Please contact the BPA FOIA Office at 503-230-7305 to request a copy.